

## **Exhibit 3**



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1 ILYA GELLER  
 2 Q. After August '98.  
 3 A. I came to the idea, but it's -- you see  
 4 the patent, yes? Yes, I came. Yes, I had after,  
 5 right.  
 6 Q. And do you recall when it was you had  
 7 that?  
 8 MR. FENSTER: Object to form.  
 9 A. No. No, it's impossible to say exactly  
 10 because it doesn't work this way. It takes a long --  
 11 a long time. You begin to think and some parts of  
 12 your idea are foolish, some parts of your idea are  
 13 valid and finally you -- it's like a block of stone.  
 14 You see if you want to make a sculpture, you take  
 15 everything extra from the stone and finally you got  
 16 the sculpture. It's the same with for -- so it took  
 17 a long -- took a long time before I came to the idea.  
 18 So it wasn't just once like lightening. It was a  
 19 long process.  
 20 Q. Are you -- I'm sorry, I didn't mean to  
 21 cut you off. Did you finish?  
 22 A. It's a process.  
 23 Q. Are you familiar with the phrase "the  
 24 conception of an invention"?  
 25 MR. FENSTER: Object to form.

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1 ILYA GELLER  
 2 Foundation.  
 3 A. (Speaks Russian.)  
 4 I told you I got this conception -- I  
 5 told you it's a process. It's a process. Right?  
 6 Right?  
 7 Q. It's really actually -- I just want to  
 8 lay the foundation to see whether you're familiar  
 9 with the term "the conception of an invention." Is  
 10 that a term that has meaning to you?  
 11 MR. FENSTER: Meaning in its legal sense?  
 12 MR. CANNON: Well, let's just let the  
 13 witness answer the question.  
 14 MR. FENSTER: Object to form.  
 15 A. (Speaks Russian.)  
 16 It's too vague. I don't -- I can't  
 17 understand what you're talking about. I don't see  
 18 the context. You need to give me the context of your  
 19 idea -- of your words.  
 20 Q. Well, the context is the -- the -- your  
 21 patent, the 067 patent --  
 22 A. Yes.  
 23 Q. -- claims various inventions.  
 24 A. Various inventions. It's one invention.  
 25 Q. It's one invention?

1 ILYA GELLER  
 2 A. The patent is only one patent.  
 3 Q. Let's -- let's assume that the patent  
 4 includes one invention. Did there come a time when  
 5 you conceived in a concrete fashion what that  
 6 invention was?  
 7 MR. FENSTER: Object to form. Asked and  
 8 answered.  
 9 A. (Speaks Russian.)  
 10 You need an exact hour, minute? Or what  
 11 do you need?  
 12 Q. Just the best memory that you have of  
 13 when the process that you had described was complete.  
 14 And you had in your mind a definite and firm idea of  
 15 what this invention would be.  
 16 MR. FENSTER: Object to form.  
 17 A. I'm sorry, but it's misunderstanding. I  
 18 just don't understand what you're asking. I don't --  
 19 it's created?  
 20 THE INTERPRETER: (Speaks Russian.)  
 21 A. I don't know in which context you are  
 22 speaking at because it depends on your context. It  
 23 depends -- listen, I am a philosopher. I am -- I do  
 24 science. And I understand your question in many  
 25 different aspects, but I need to know more about your

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1 ILYA GELLER  
 2 context, about the context in which you are asking.  
 3 Q. Well, if I understand you correctly, you  
 4 saw --  
 5 A. Concept of the patent is no value.  
 6 Q. I'm sorry?  
 7 A. It's too vague. It's too vague. It's  
 8 too big. I need you to point, to take, to be  
 9 laconic.  
 10 Q. I'm trying to establish, and if -- if  
 11 you -- if you don't remember, that -- that's -- that  
 12 is what it is -- if -- if there came a point where  
 13 you had a definite and firm idea of the invention  
 14 that would later become issued as this patent?  
 15 MR. FENSTER: Objection, vague, form,  
 16 asked and answered.  
 17 MR. CANNON: Marc, if you could limit  
 18 your objections to objection, form, I would  
 19 appreciate that because that's what the Texas rules  
 20 require.  
 21 MR. FENSTER: I know what the Texas rules  
 22 require, Mr. Cannon, and you need to -- this is a  
 23 special deposition and you need to ask simple  
 24 questions. And I'm going to protect the record as I  
 25 see fit.

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1 ILYA GELLER  
 2 MR. CANNON: Well, I'm doing the best  
 3 I -- the best I can, but I really think the record,  
 4 you should limit yourself to what the rules require.  
 5 MR. FENSTER: Could you read back the  
 6 question, please?  
 7 (The reporter read back the last  
 8 question.)  
 9 A. Okay. You have this patent. It is  
 10 before you. So finally of course I had this idea.  
 11 You have something here. Right? Before you. So  
 12 finally I came to the idea, but I don't remember  
 13 when. I cannot say you exactly day, months or a  
 14 year. It was somewhere in '99 or '98. I don't  
 15 remember exactly.  
 16 Q. Are there any documents that you can  
 17 think of that would help you pin down the date more  
 18 exactly?  
 19 MR. FENSTER: Object to form.  
 20 A. It's a pro- -- it's a process. Of course  
 21 it starts somewhere, but document, I don't remember.  
 22 I -- I have -- I have no idea what kind of document  
 23 it could be. I have no idea. I don't know. What do  
 24 you mean?  
 25 Q. The -- the title of the patent uses the

1 ILYA GELLER  
 2 MR. FENSTER: Object to form.  
 3 A. I believe yes.  
 4 Q. How does your invention relate to user  
 5 profiles?  
 6 MR. FENSTER: Object to form.  
 7 A. It's written in here, just read the  
 8 patent. Everything is written here -- in here. But  
 9 why should I say by myself if you can read the  
 10 patent?  
 11 Q. Well, I -- I'd like you to answer, if you  
 12 can, if you can tell me how your invention relates to  
 13 user profiles?  
 14 MR. FENSTER: Form.  
 15 A. I told you about opinions and knowledge.  
 16 Right? And I told you what this patent is -- is  
 17 about searching for both opinions and knowledge. I  
 18 didn't tell that, but now I am telling. This patent  
 19 combines both approaches. It searches for knowledge  
 20 and for opinions. So I -- and to search for  
 21 opinions, a program, a computer needs to know who is  
 22 searching for information. Who is -- who is  
 23 searching for information. So it must be  
 24 personalized. You see here generated personal --  
 25 personalized user profiles. So you gave just a part

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1 ILYA GELLER  
 2 phrase "user profiles." Do you see that?  
 3 A. Where?  
 4 Q. If you look at the patent Exhibit 6, the  
 5 title is in the top left, "System and Method For  
 6 Generating Personalized User Profiles," and then it  
 7 goes on?  
 8 A. Yes, I see it, but it was -- this patent  
 9 was written by my legal counsel and he -- it's his  
 10 work. Right? This patent, I didn't -- I didn't  
 11 write anything to this patent. He wrote everything.  
 12 Q. So you didn't write this patent?  
 13 A. Technically, he wrote the patent, my  
 14 legal counsel.  
 15 Q. Are there mistakes in the patent?  
 16 MR. FENSTER: Object to form.  
 17 A. Mistakes? Grammatical?  
 18 Q. Any kind of mistakes. You -- I asked you  
 19 about the phrase "user profile" and you answered  
 20 that -- that your attorney had written it. And I'm  
 21 wondering why -- why did you answer in that fashion.  
 22 A. Because -- what fashion? Because here he  
 23 wrote it user profile.  
 24 Q. Does your invention have to do with user  
 25 profiles?

1 ILYA GELLER  
 2 of a sentence, but the whole definition is  
 3 personalized user profiles.  
 4 Q. Do you believe you are the first person  
 5 to come up with the idea of using personalized user  
 6 profiles to search the Internet?  
 7 MR. FENSTER: Object to form.  
 8 A. My experience at NIST TRC tells me, yes.  
 9 National Institute of Standards and Technology Text  
 10 Retrieval Conference.  
 11 Q. What was the last -- could you tell me  
 12 again the -- the name of the conference you just  
 13 referenced?  
 14 A. National Institute of Standards and  
 15 Technology Text Retrieval Conference.  
 16 Q. And what is the significance of that  
 17 conference?  
 18 A. Huge companies and universities like MIT  
 19 and companies like Microsoft, IBM, from the whole  
 20 world -- world, I mean Academy of China and everybody  
 21 comes to this conference, and this the major event in  
 22 the search world.  
 23 Q. And how does that conference relate to  
 24 your belief about personalized user profiles?  
 25 MR. FENSTER: Object to form.